

FILED

4/2/2019

Clerk, U.S. District Court  
District of Montana  
Helena Division

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**HELENA DIVISION**

PACIFIC NORTHWEST SOLAR,  
LLC,

Plaintiff,

vs.

NORTHWESTERN CORPORATION,  
A DELAWARE CORPORATION  
DBA NORTHWESTERN ENERGY,

Defendant.

No. CV-16-114-H-SEH

**ORDER**

The Joint Proposed Final Pretrial Order filed March 29, 2019, contains the following:

**X. Dismissals.**

- a. The Parties jointly request dismissal with prejudice of the Second, Third, Fourth, and Fifth Claims set forth in the Plaintiff's First Amended Complaint.<sup>1</sup>

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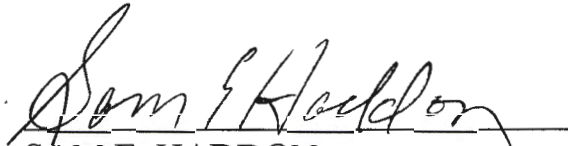
<sup>1</sup> Doc. 182 at 15.

ORDERED:

The Second Count,<sup>2</sup> Third Count,<sup>3</sup> Fourth Count,<sup>4</sup> and Fifth Count<sup>5</sup> of Pacific Northwest Solar, LLC's First Amended Complaint are DISMISSED with prejudice.

The case will proceed to trial on the First Count, Anticipatory Breach of Contract,<sup>6</sup> and the Sixth Count, Declaratory Relief.<sup>7</sup>

DATED this 2<sup>nd</sup> day of April, 2019.

  
SAM E. HADDON  
United States District Judge

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<sup>2</sup> See Doc. 47 at 17–18.

<sup>3</sup> See Doc. 47 at 18–19.

<sup>4</sup> See Doc. 47 at 19–21.

<sup>5</sup> See Doc. 47 at 21–22.

<sup>6</sup> See Doc. 47 at 16–17.

<sup>7</sup> See Doc. 47 at 22–23.